



AF/1646 JFW

PATENT
Attorney Docket 53356-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: **G. Lenzen *et al.***

Application No. **09/319,724**

Filed: **September 8, 1999**

For: **MAMMALIAN ICYP (IDOCYANOPINDOLOL)
RECEPTOR AND ITS APPLICATIONS**

Group Art Unit: **1646**

Examiner: **Michael T. Brannock**

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment & Reply in response to the Office Action dated April 6, 2004.

2. Additional Papers:

1. Copy of Federal Court decision of *Noelle v. Lederman*
2. Copy of Interim Written Description Guidelines Training Materials
3. Copy of corrected drawings filed on July 24, 2003, with date-stamped postcard receipt

3. Extension of Time

The proceedings herein are for a patent application and the provisions of
37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional
petition is being made to provide for the possibility that applicant has inadvertently
overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in
37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$__

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for ____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS REMAINING AFTER AMENDMENT						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	22	minus	25	0	at \$ 18 each =	\$0.00
Independent Claims	1	minus	3	0	at \$ 84 each =	\$0.00
First presentation of Multiple dependent claim					at \$270.00 =	
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						\$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge \$_____ for _____ to Deposit Account No. 50-0310.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 25, 2004

By: *Bonnie Weiss McLeod*
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2011 South Clark Place
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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**AMENDMENT & REPLY TO OFFICE ACTION
PURSUANT TO 37 CFR §1.116**

This Reply is responsive to the Office Action dated April 6, 2004, the time period for response to which expires July 6, 2004. Entry of the following amendments and reconsideration of the claimed subject matter is respectfully requested: